

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

BRYAN ANTHONY REO, <i>et al.</i> ,)	Case Nos.:	1:19 CV 2103
)		1:19 CV 2589
Plaintiffs)		1:19 CV 2786
)		
v.)	JUDGE SOLOMON OLIVER, JR.	
)		
MARTIN LINDSTEDT,)		
)		
Defendant)	<u>ORDER</u>	

Currently pending before the court is the Report and Recommendation (“R&R”) of Magistrate Judge Thomas M. Parker (ECF No. 129), regarding Plaintiffs Bryan Anthony Reo (“Bryan”) and Stefani Rossi Reo’s (“Stefani”) Motion to Dismiss Defendant’s Counterclaims (ECF No. 94). The R&R was filed on July 28, 2023. Objections were due 14 days thereafter. The matter is now ripe for review.

The Magistrate Judge recommended that the court consider the Motion to Dismiss as a Motion for Judgment on the Pleadings. He further recommended that the court grant the Motion with respect to Defendant’s counterclaims as follows: for malicious prosecution and abuse of process against Bryan and Stefani, for civil conspiracy and spoliation of evidence against Bryan, but deny the Motion in regard to his defamation per se claim against Bryan and Stefani.

Having thoroughly considered the R&R and other relevant documents in the record, the court finds that the Magistrate’s Recommendation is well-reasoned and supported. Consequently, the

court hereby adopts the Recommendation in its entirety. Therefore, the court will treat the Motion to Dismiss as a Motion for Judgment on the Pleadings by husband and wife Plaintiffs, Bryan Anthony Reo and Stefani Rossi Reo, with respect to the Counterclaims of Defendant, Martin Lindstedt. Considered as such, the court will grant the Motion (ECF No. 94) in part and deny it in part. Specifically, the court grants the Motion with respect to the malicious prosecution and abuse of process claims against Bryan and Stefani and the civil conspiracy and spoliation of evidence claims again Bryan. Judgment is hereby entered accordingly with respect to those claims. However, the court denies the Motion with respect to the defamation per se claim against Bryan and Stefani.

IT IS SO ORDERED.

/s/ SOLOMON OLIVER, JR.
UNITED STATES DISTRICT JUDGE

September 12, 2023